

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

JULIANA RODRIGUEZ MOREL
f/k/a JULIANA MOREL MARIANO,
Plaintiff

v.

1:21-CV-00040-AJ

MAMMOTH TECH, INC.
f/k/a CREDIT ADJUSTMENTS, INC.,
f/k/a CAI OF OHIO,
Defendant

STATUS REPORT

NOW COME Natasha Urena and Daniel Rodriguez, substituted Plaintiffs for Juliana Rodriguez Morel, by and through their counsel, Douglas, Leonard & Garvey, P.C., and respectfully submit the within Status Report, stating as follows:

1. On January 6, 2023, counsel for the Plaintiffs moved to continue the damages hearing in this matter scheduled for January 10, 2023. The basis for the motion was two-fold. First, co-Plaintiff, Natasha Urena, had been hospitalized and incommunicado with counsel in the week leading to the scheduled hearing. Second, the Plaintiffs had taken a related, declaratory judgment (coverage) action against an insurer for the Defendant, Mammoth, and Plaintiffs' counsel and the insurer's counsel were in discussions the week leading to the hearing as to whether the insurer had standing and should be present at the damages hearing to raise any of its arguments disputing damages. Insurance counsel was researching the standing/intervention issue, but also had a medical procedure scheduled, himself, for January 9, 2023, and therefore approved of the Plaintiffs moving to continue the hearing.

2. This court graciously granted the motion to postpone the hearing, pending scheduling by the Court's case manager, with potential dates at the end of January and early February 2023.

3. On January 10, 2023, Ms. Urena was able to call Plaintiff's counsel.

4. Ms. Urena reported that she had suffered a condition similar to stroke. Ms. Urena's speech was dramatically slurred, stuttering, and halting.

5. Ms. Urena seemed, however, to be responsive and capable of organized thought, and she communicated that she would prefer to proceed with the hearing in early February, if permitted by the Court.

6. Ms. Urena and her counsel consequently planned a follow-up call for January 12, 2023 to review Ms. Rodriguez Morel's damages.

7. At this call, regrettably, Ms. Urena was not able to proceed after brief interview with counsel. The subject matter caused Ms. Urena to become emotional, which, she indicated was dangerous in her condition, and the interview was discontinued to avoid harm to Ms. Urena.

8. Until Plaintiff's counsel is able to contact Ms. Urena's caretakers, who may be better able to communicate information surrounding her condition and prognosis, Plaintiffs' counsel cannot project, for the court, when Ms. Urena will be sufficiently recovered to assist in preparation for the damages hearing. Counsel is actively working to gain access to this information to report to the Court.

9. Meanwhile, Plaintiffs' counsel has not been in contact with insurance counsel since the Court granted the Motion to Continue. Presumably he, too, is recovering from his procedure the week of this Status Report. Plaintiff's counsel intends to follow-up with insurance counsel's office on or before Tuesday January 17, 2023 to determine when a Motion to Intervene might be forthcoming.

Respectfully submitted,

NATASHA URENA and
DANIEL RODRIGUEZ
on behalf of Plaintiff,
JULIANA RODRIGUEZ MOREL
By their attorneys,
DOUGLAS, LEONARD & GARVEY, P.C.

Date: January 12, 2023

By: /s/ Megan Douglass
Megan Douglass, NH Bar #19501
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document and all of its attachments, including exhibits to the attached Memorandum of Law were served this date upon Scott McGurk, representative for the Defendant, Mammoth Tech Inc., via electronic mail, to smcgurk@ingw.com, and via U.S. Mail to Mr. McGurk's known physical address at Inglewood Associates, LLC, 9242 Headlands Rd, Mentor, OH 44060.

/s/ Megan Douglass
Megan Douglass